

CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Flemingsburg, Kentucky, and the foregoing Ordinance No. 11-02-3 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on November 11, 2002, all as appears in the official records of said City.

WITNESS, my hand and Seal of said City, this 25th day of November, 2014.

Joy Roark

Joy Roark, City Clerk/Treasurer

RECEIVED AND FILED
DATE December 4, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkins

EXHIBIT 2

CITY OF FLEMINGSBURG, KENTUCKY ORDINANCE NO. 11-02-3

A FINAL ANNEXATION ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS THE HEREINAFTER DESCRIBED LAND LOCATED ON FLEMINGSBURG BY-PASS 32, AND KNOWN AS "WELLS BUILDING".

WHEREAS, a certain owner of real estate has consented in writing to the annexation of a certain parcel of its real estate located on the southern side of Flemingsburg By-Pass 32 in Fleming County, Kentucky, and being contiguous with the current corporate limits of the City of Flemingsburg; and

WHEREAS, said property is identified and described in the land survey and plat representing said survey by Timothy E. Kelly, LS 2926, of Curd Surveying, Engineering & Land Consulting, Inc., dated August 17, 1999, and is of record in Deed Book 199, Page 172, Fleming County Clerk's Office, and a new City Plat thereof, together with a Certified Copy of Ordinance, and a List of Property Owners name and address, will be recorded in the Office of the Fleming County Clerk, the Kentucky Secretary of State, and the Department for Local Government, all within sixty (60) days, as permitted and required by KRS 81A.470 and KRS 81A.475; and

WHEREAS, said property is adjacent to and contiguous with the City's current boundaries and is urban in character and is suitable for development for urban purposes without unreasonable delay,

WHEREFORE, BE IT ORDAINED BY THE CITY OF FLEMINGSBURG, KENTUCKY;

SECTION 1: AUTHORITY

The annexation of the hereinafter described land is authorized by KRS 82.082 and KRS 81A.400 et seq.

SECTION 2: CONSENT TO ANNEXATION

The below referenced written consent to annexation executed, acknowledged and delivered to the City of Flemingsburg, Kentucky pursuant to KRS 81A.412 and of record in the office of the

Fleming County Clerk, is hereby acknowledged and accepted by the City of Flemingsburg, Kentucky for all intents and purposes expressed therein; said consent to annexation is made a part of this ordinance by reference; to-wit:-

Wells Building; D.B. 203, Page 646, accepted July 3, 2000.

SECTION 3: ANNEXATION

A. The land generally described in subsection C. below is found to be contiguous with and adjacent to the current boundaries of the City of Flemingsburg, Kentucky and is suitable for development for urban purposes without unreasonable delay.

B. The land described in subsection C. below is hereby annexed to and shall be within the corporate limits of the City of Flemingsburg, Kentucky.

C. The land annexed by the City of Flemingsburg, Kentucky by operation of this ordinance is described as follows:

A parcel of land located on the South side of the Flemingsburg Bypass approximately 0.3 mile West of the junction of State Route 11 in Flemingsburg, Fleming County, KY., and described as follows:

BEGINNING at a ½" rebar found in the South right-of-way of the Flemingsburg Bypass 81.58 feet left of the center line station 204+72.24, a corner to the parcel conveyed to the Commonwealth of Kentucky in Deed Book 152, Page 110 and a corner to the parcel conveyed to the Kissick Properties, Inc., in Deed Book 183, Page 756 of the Fleming County Court Clerk's records; said rebar is located South 28-10-44 West 0.26 feet from another found ½" rebar;

Thence with the Kissick line for one (1) call:

(1) South 03-37-59 West 1030.02 feet to a found ½" rebar, a corner to the parcel conveyed to Rocky Baron Mullins and Judy K. Mullins in Deed Book 166, Page 273;

Thence with the Mullins line for one (1) call:

(1) North 85-42-43 West 394.27 feet to a found ½" rebar with plastic cap stamped "Roy A. Wright LS 2808" found East of a drain and in a wire fence line, a corner to parcel conveyed to W. Dexter Goodwin and Donna J. Goodwin in Deed Book 133, Page 364;

Thence with the Goodwin line for one (1) call:

(1) North 30-48-52 West 160.58 feet to a point in the center line of a drain in a severance line (said point in drain center line is located South 73-04-41 West, 11.94 feet from a ½" rebar with aluminum cap stamped "Curd Surveying & Eng., Inc., LS 2926" set as a witness monument);

Thence up the center line of the drain and with a severance line for twenty-nine (29) calls:

- (1) North 07-06-06 West 78.60 feet,
- (2) North 45-07-28 East 29.71 feet,
- (3) North 01-59-39 East 41.68 feet,
- (4) North 19-40-48 East 41.59 feet,
- (5) North 02-22-17 West 78.93 feet,
- (6) North 24-26-06 East 58.39 feet,
- (7) North 79-37-59 East 24.83 feet,
- (8) North 13-03-53 East 28.73 feet,
- (9) North 23-11-19 East 69.19 feet,
- (10) North 69-08-48 West 24.43 feet,
- (11) North 31-23-41 East 48.96 feet,
- (12) North 11-08-43 West 72.55 feet,
- (13) North 67-16-28 East 29.03 feet,
- (14) North 19-19-53 West 17.53 feet,
- (15) North 35-06-23 East 25.11 feet,
- (16) North 74-03-02 West 23.50 feet, (said point in drain is South 45-57-51 West 6.81 feet from a rebar with aluminum cap as witness monument);
- (17) North 19-58-35 East 44.28 feet,
- (18) North 10-31-31 West 68.40 feet,
- (19) North 45-12-13 West 30.09 feet,
- (20) North 23-19-19 West 25.09 feet,
- (21) North 53-17-54 East 22.09 feet,
- (22) North 26-22-48 East 29.41 feet,
- (23) North 03-25-22 East 30.89 feet,
- (24) North 16-01-09 East 33.03 feet,
- (25) North 27-50-34 East 33.64 feet,
- (26) North 29-08-42 West 30.53 feet,
- (27) North 35-05-31 East 8.56 feet,
- (28) South 85-43-01 East 6.73 feet,
- (29) North 25-19-35 East 8.73 feet to the South right-of-way line of the Flemingsburg Bypass;

Thence with the South right-of-way line for four (4) calls:

- (1) South 68-06-01 East 5.00 feet to a set rebar with aluminum cap,

- (2) South 68-06-01 East 31.67 feet to a set rebar with aluminum cap,
- (3) North 88-51-37 East 261.01 feet to a set rebar with aluminum cap,
- (4) South 71-29-37 East 127.93 feet to the beginning, **containing 10.726 acres.**

This property description is based on a field survey by Timothy E. Kelly, LS 2926, of Curd Surveying, Engineering & Land Consulting, Inc., dated August 17, 1999. Bearings are based on the record bearing of the center line of the Flemingsburg Bypass (North 74-26-26 West).

Being the same real estate conveyed Wells Building, a partnership, by deed from CDFT Partnership, dated the 18th day of August, 1999, and of record in D.B. 199, Page 168, Fleming County Clerk's Office.

D. The map of the area described in subsection "C." has been drawn and will be recorded within the time limits required by the Annexation statute.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective upon two (2) readings thereof, roll call vote passage by the City Council, approval by the Mayor and publication as required by law, and recording of the Plat, a Certified Copy of Ordinance, and List of Property Owner name and address, all in the office of the Fleming County Clerk, the Kentucky Secretary of State, and the Department of Local Government.

X X X

X X X

COUNCIL ACTION
ORDINANCE NO. 11-02-3

First Reading of this Ordinance was had on the 7th day of October, 2002.

Joy S. Roark
Joy S. Roark, City Clerk

Second Reading of this Ordinance was had on the 11th day of November, 2002, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

Joy S. Roark
Joy S. Roark, City Clerk

MAYORAL APPROVAL (#11-02-3)

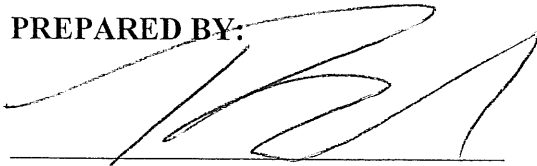
I hereby accept and approve the foregoing Ordinance No. 11-02-3 and direct same to be published in accordance with applicable law this 11th day of November, 2002.

Demaree C. Todd
Demaree C. Todd, Mayor

ATTEST:

Joy S. Roark
Joy S. Roark, City Clerk

PREPARED BY:


Thomas L. MacDonald
MacDonald, Walton & Razor, PLLC
City Attorneys

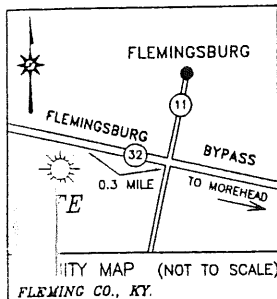


EXHIBIT 3

LEGEND

- BOUNDARY LINE (THIS SURVEY)
- APPROXIMATE ADJOINING BOUNDARY LINE
- CENTER LINE OF DRAIN
- 1/2" REBAR WITH ALUMINUM CAP STAMPED "CURD SURVEYING & ENG. INC. LS 2926" (SET THIS SURVEY)
- 1/2" REBAR FOUND WITH NO CAP
- UNMONUMENTED PROPERTY CORNER IN CENTER LINE OF DRAIN
- UTILITY POLE

W. DEXTER GOODWIN
DONNA J. GOODWIN
DEED BOOK 133 PAGE 364

CDFT PARTNERSHIP
DEED BOOK 189 PAGE 604

COMMONWEALTH
OF KENTUCKY
DEED BOOK 152 PAGE 110

1/2" REBAR WITH PLASTIC
CAP STAMPED "ROY A. WRIGHT
LS 2808" (FOUND)

BOUNDARY LINE TABLE

#	BEARING	DISTANCE
L1	N 07°06'06" W	78.60'
L2	N 45°07'28" W	29.71'
L3	N 01°59'39" W	41.68'
L4	N 19°40'48" W	41.59'
L5	N 02°22'17" W	78.93'
L6	N 24°26'06" W	58.39'
L7	N 79°37'59" W	24.83'
L8	N 13°03'53" W	28.73'
L9	N 23°11'19" W	69.19'
L10	N 69°08'48" W	23.43'
L11	N 31°23'41" W	48.96'
L12	N 11°08'43" W	72.55'
L13	N 67°16'28" W	29.03'
L14	N 19°19'53" W	17.53'
L15	N 35°08'23" W	25.11'
L16	N 74°03'02" W	23.50'
L17	N 19°58'35" W	44.28'
L18	N 10°31'31" W	68.40'
L19	N 45°12'13" W	30.09'
L20	N 23°19'19" W	25.09'
L21	N 53°17'54" W	22.09'
L22	N 26°22'48" W	29.41'
L23	N 03°25'22" W	30.89'
L24	N 16°01'09" W	33.03'
L25	N 27°50'34" W	33.64'
L26	N 29°08'42" W	30.53'
L27	N 35°05'31" W	8.56'
L28	S 85°43'01" W	6.73'
L29	N 25°19'35" W	8.37'
L30	S 68°06'01" W	5.00'
L31	S 68°06'01" W	31.67'

WITNESS "A"

S 73°04'41" W
11.94'

WITNESS "A"
ENLARGEMENT
(NOT TO SCALE)

WITNESS "B"

S 45°57'51" W
6.81'

WITNESS "B"
ENLARGEMENT
(NOT TO SCALE)

CDFT PARTNERSHIP
DEED BOOK 189 PAGE 604
(PORTION)

SEVERANCE AREA:
10.726 ACRES

0' 100'

POINT OF
BEGINNING
STA. 204+72.24
81.58' LEFT

FLEMINGSBURG BYPASS (STATE ROUTE 32)
CENTER LINE BEARING - N 74°26'28" W

0.3 MILE TO
JCT. S.R. 11

WITNESS "C"
ENLARGEMENT
(NOT TO SCALE)

S 28°10'44" W
0.26'

S 03°37'59" W 1030.02'

KISSICK PROPERTIES, INC.
DEED BOOK 183 PAGE 756

30 FOOT SERVICE ROAD AND 10 FOOT
UTILITY LINE EASEMENT AS DEPICTED IN
AN UNRECORDED REVISED PLAT OF THE
KISSICK/REID COMMERCIAL DEVELOPMENT
BOTH EASEMENTS EXTEND TO 50'
DEDICATED RIGHT OF WAY

SURVEYOR'S CERTIFICATION

I CERTIFY THAT THIS PLAT DEPICTS A SURVEY CONDUCTED UNDER MY
DIRECTION USING THE METHOD OF RANDOM TRAVERSE. THE UNADJUSTED
ERROR OF CLOSURE RATIO OF THE RANDOM TRAVERSE IS 1:62,300.
THE BEARINGS AND DISTANCES HAVE NOT BEEN ADJUSTED FOR CLOSURE.
THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS OF GOVERNING
AUTHORITIES FOR A CLASS "A" SURVEY. THIS PARCEL IS SUBJECT TO ALL
EASEMENTS OF RECORD. THE BASIS OF BEARINGS IS ASSUMED FROM THE
RECORD CENTER LINE BEARING OF THE FLEMINGSBURG BYPASS.

Timothy E. Kelly 2926 8/17/99
TIMOTHY E. KELLY L.S. 2926 DATE



BOUNDARY SURVEY OF A SEVERANCE OF THE
CDFT PARTNERSHIP PARCEL
FOR WELLS READY MIX CONCRETE CO.
FLEMINGSBURG, FLEMING CO., KENTUCKY

CURD SURVEYING, ENGINEERING
& LAND CONSULTING, INC.

450 PRESTONSBURG STREET
WEST LIBERTY, KENTUCKY 41472
(606) 743 - 1269

821 EAST MAIN STREET
MOREHEAD, KENTUCKY 40351
(606) 784 - 3299

DATE:	PROJ. #	SCALE:	DRAWN BY:
8/17/99	1735	1" = 100'	TEK
EDITED BY:	SHEET:		
TEK	1 OF 1		

WELLS READY MIX CONCRETE, INC.
P.O. BOX 28
WEST LIBERTY, KY. 41472